

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal Case No. CR 20-262 (ADM/ECW)

UNITED STATES OF AMERICA,     )  
  )  
                          Plaintiff,     )  
  )  
vs.    )  
  )  
FOWZI ABDINASIR ELMI,            )  
  )  
                          Defendant.     )

**MOTION TO COMPEL  
DISCLOSURE OF EVIDENCE  
FAVORABLE TO ACCUSED**

Fowzi Abdinasir Elmi, through undersigned counsel, hereby moves the Court for an Order pursuant to the authority of Brady v. Maryland, 373 U.S. 83 (1963); Miller v. Pate, 386 U.S. 1 (1967); Giles v. Maryland, 386 U.S. 66 (1967); and Moore v. Illinois, 408 U.S. 786 (1972), compelling disclosure of any evidence in the possession of the prosecution or any of its agents, or other evidence the existence of which is known, or by the exercise of due diligence may become known to the prosecution, which may be favorable to the Defendant or could reasonably weaken or affect any evidence that may be introduced against the Defendant or is otherwise relevant to the subject matter of this case and may in any manner aid the Defendant in the investigation or preparation of his case for trial or sentencing, said disclosure to be made without regard to whether the evidence to be disclosed may be admissible at the trial herein, and to include but not limited to the following:

1. Any statements of any witnesses whether indicted or not, exculpating the Defendant.

2. Any statements of witnesses, whether indicted or not, which contradict statements of other witnesses.
3. Any reports of interviews relating to Nos. 1 and 2.
4. Any fingerprints, handwriting or other scientific evidence which was not identified with this Defendant.
5. Any items seized from parties not charged which tend to identify them rather than the defendant with commission of the crime.
6. Any prior convictions, arrests or other evidence of misconduct of prospective government witnesses or persons or entities relied upon by the government in obtaining the instant indictment or whom the government may call to testify at trial.
7. Any offers or promises made to prospective government witnesses or entities to induce their cooperation against the Defendant whether or not the government intends to call those persons as witnesses.

Dated: January 24, 2021

LAW OFFICE OF JORDAN S. KUSHNER

By s/Jordan S. Kushner

Jordan S. Kushner, ID 219307

Attorney for Defendant

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